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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 UNITED STATES OF AMERICA,

12 Respondent,

2:04-cr-0249-GEB-KJM-P

13 vs.

14 JAIME LEYVA-HERNANDEZ,

15 Movant.

ORDER

16 _____/
17 Movant has filed an application for a writ of habeas corpus pursuant to 28 U.S.C.
18 § 2255. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C.
19 § 636(b)(1)(B) and Local General Order No. 262.

20 On March 13, 2009, the magistrate judge filed findings and recommendations
21 herein which were served on all parties and which contained notice to all parties that any
22 objections to the findings and recommendations were to be filed within twenty days. Neither
23 party has filed objections to the findings and recommendations.

24 Although it appears from the file that movant's copy of the findings and
25 recommendations were returned, movant was properly served. It is the movant's responsibility to

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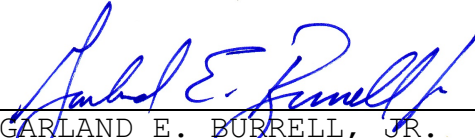
1 keep the court apprised of his current address at all times. Pursuant to Local Rule 83-182(f),
2 service of documents at the record address of the party is fully effective.

3 The court has reviewed the file and finds the findings and recommendations to be
4 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY
5 ORDERED that:

6 1. The findings and recommendations filed March 13, 2009, are adopted in full;
7 2. Movant's application for writ of habeas corpus under 28 U.S.C. § 2255 (#18)
8 is dismissed; and

9 3. The clerk of the court is directed to close the companion civil case
10 No. CIV-S-05-0351 GEB KJM P.

11 Dated: June 29, 2009

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14 GARLAND E. BURRELL, JR.
United States District Judge
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